

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS  
OF SAN BERNARDINO COUNTY, CALIFORNIA  
AND RECORD OF ACTION**

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May 13, 2003

**FROM:** KEN A. MILLER, Director  
Department of Public Works - **Solid Waste Management Division**

**SUBJECT: AMENDMENT NO. 8 TO CONTRACT NO. 01-237 WITH BURRTEC WASTE INDUSTRIES, INC.**

**RECOMMENDATION:** Approve Amendment No. 8 to Contract No. 01-237 with Burrtec Waste Industries, Inc. (Burrtec), in the amount of \$50,000, to increase the amount for special procedures required for disposal of the carcasses of the diseased poultry and eggs associated with the Exotic Newcastle Disease (END) from \$84,000 to \$134,000.

**BACKGROUND INFORMATION:** On October 1, 2002 END was diagnosed in backyard poultry flocks in Southern California. On January 7, 2003, the Board of Supervisors (Board) passed a resolution proclaiming the existence of a local emergency resulting from the discovery of END in poultry located within the County of San Bernardino (County). On January 7, 2003 the Governor of California issued a proclamation declaring a state of emergency and on January 10, 2003 the Secretary of the United States Department of Agriculture (USDA) issued a Declaration of Extraordinary Emergency, effective January 6, 2003, because of END. The County is included in the Federal and State Quarantine areas in Southern California. While END has no public health consequences and does not affect the safety of poultry or egg products, END is a very serious, contagious viral disease that affects most species of birds, with a death rate of nearly 100% of the infected birds.

END has been found in various areas of the Inland Empire, resulting in a quarantine and extermination of infected and exposed poultry and eggs in an attempt to stop the disease before it affects the entire egg industry of the state. The poultry carcasses and eggs, which have been accepted at the County Mid-Valley Sanitary Landfill (MVSL) for disposal, require immediate burial and special handling procedures. Burial at MVSL has been completed under the rules and regulations of both federal and state agencies, in accordance with a protocol established by the California Department of Food and Agriculture. Special handling procedures include immediate burial, in an area separate from where daily waste is spread and covered, to avoid potential of further contamination by having an open area where wild birds could land and carry the disease out of the confined area, and washing down of equipment used in the burial operation to avoid the contamination of other areas at the MVSL.

Record of Action of the Board of Supervisors

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On April 15, 2003, the Board approved Amendment No. 6 to Contract No. 01-237 with Burrtec Waste Industries, in the amount of \$84,000, for special procedures required for disposal of the carcasses of the diseased poultry and eggs associated with END. Purchase Order No. P2162, in the amount of \$15,679, was also issued to Burrtec for services related to END waste disposal. The Board was advised in the board agenda item for Amendment No. 6 to Contract No. 01-237 that in the event that the END continues to spread resulting in further extermination and disposal of contaminated poultry and eggs, and the cost exceeds the Board approved amount of \$99,679, a separate board item would be brought before the board at a later date to address the situation. It has since been determined that the services provided by Burrtec related to END have totaled \$117,726.

Board approval of this proposed amendment will allow the additional payment to Burrtec of \$18,047 for special handling services relating to END waste disposal and provide an additional \$31,953 for additional END waste disposal at the MVSL, if required. On April 11, 2003, the USDA END Task Force advised that standby equipment and staff was no longer required at MVSL and the Solid Waste Management Division (SWMD) will be given advance notice before any END waste is delivered to MVSL. Invoices from Burrtec for the services discussed in this board item will be submitted to the USDA END Task Force for review and potential partial or full reimbursement.

**REVIEW BY OTHERS:** This item was reviewed by Deputy County Counsel Robert L. Jocks on April 28, 2003 and the County Administrative Office (Tom Forster, Administrative Analyst) on May 2, 2003.

**FINANCIAL IMPACT:** Funds for this action, in the amount of \$50,000, are contained in the SWMD's Fiscal Year 2002/2003 Budget – Fund: EAA Dept: SWM Org: SWM Appr: 200 Obj: 2445.

**COST REDUCTION REVIEW:** The County Administrative Office has reviewed this agenda item and concurs with the department's proposal and recommends this action based on the critical need for these services in order to prevent the spread of this disease.

**SUPERVISORAL DISTRICT:** All

**PRESENTER:** Peter H. Wulfman, 386-8703